



PATENT
MAIL STOP PETITION

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent Application of : Group Art Unit:
Bruce Blazar, *et al.* : 1636
Serial No.: 10/827,023 :
Filed: April 19, 2004 :
For: REGULATORY T CELLS AND THEIR USE : Attorney Docket No.:
IN IMMUNOTHERAPY AND : 22253-76278
SUPPRESSION OF AUTOIMMUNE :
RESPONSES :
:

SECOND RENEWED PETITION FOR ACCEPTANCE OF PRIORITY CLAIM UNDER
37 C.F.R. § 1.78(a)(6)

Applicants in the above-identified application hereby renew their petition of the Office under 37 C.F.R. § 1.78(a)(6) for acceptance of a priority claim to U.S. Provisional Application No. 60/463,591, filed on April 17, 2003. The present Second Renewed Petition is in response to the Decision on Petition mailed on December 16, 2005 in the above-identified patent application, which dismissed the Renewed Petition filed on September 19, 2005.

Applicants respectfully submit that pursuant to 37 C.F.R. § 1.78(5)(A), the above-identified application was filed after November 29, 2000 and that the period specified in 37 C.F.R. § 1.78(a)(5)(ii), namely the later of four months from the filing date of the present application or sixteen months from the filing date of the prior-filed provisional application, have expired. Applicants further submit that the present petition is being submitted during the pendency of the present application.

Applicants respectfully submit that the priority claim to U.S. Provisional Application No. 60/550,481, filed on March 5, 2004 was properly made on page 1, paragraph 0001 of the as-filed application. Applicants further submit that the priority claim to U.S. Provisional Application No. 60/374,356, filed on April 19, 2002, made on page 1, paragraph 0001 of the as-filed application was a typographical error. Specifically, the present application should have claimed priority to U.S. Provisional Application No. 60/463,591, filed on April 17, 2003. Applicants presently renew their petition for acceptance of a priority claim to U.S. Provisional Application No. 60/463,591, filed on April 17, 2003.

PHIPW4863641

Adjustment date: 02/17/2006 CKHLOK
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Applicants respectfully submit that the entire delay between the date the claim was due under 37 C.F.R. § 1.78(a)(5)(ii) and today's date of filing of the present petition for acceptance of priority claims under 37 C.F.R. § 1.78(a)(6) was unintentional.

Applicants submit herewith, as a separate paper, a Preliminary Amendment to the specification which provides the reference required by 35 U.S.C. § 119(e) and 37 C.F.R. § 1.78(a)(5)(i) to the prior-filed application. Per the Decision on Petition mailed on December 16, 2005, the Preliminary Amendment filed herewith deletes the incorporation by reference statement in Paragraph 0001.

Applicants original petition, filed on March 17, 2005 was submitted in conjunction with a fee in the amount of \$1,330.00, as required under 37 C.F.R. § 1.17(t). Therefore, applicants submit no additional fee for the present Second Renewed Petition. The Commissioner is hereby authorized to charge any deficiencies or credit any overpayments to Deposit Account No. 50-0573.

Respectfully submitted,
BRUCE BLAZAR et al.

1/17/06

(Date)

Evelyn H. McConathy
Evelyn H. McConathy
Registration No. 35,279
DRINKER BIDDLE & REATH LLP
One Logan Square
18th and Cherry Streets
Philadelphia, PA 19103-6996
Tel: (215) 988.3361
Fax: (215) 988.2757
Attorney for Applicants

EHM/JDGB

Enclosures: Preliminary Amendment

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND

1 Date of Request: 2/14/06 2 Serial/Patent #: 10/827023

3 Please refund the following fee(s):	4 PAPER NUMBER	5 DATE FILED	6 AMOUNT
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Renewed petition

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